HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.16402 of 2006

Date 12-10-2007

Between:
T. Manohar

.....
PETITIONERS

AND

The Secretary to Government of A.P.,
Home Department, Secretariat,
Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SMT. JUSTICE T. MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

WRIT PETITION No.16402 of 2006

ORDER: (per Smt. T.Meena Kumari,J)

The petitioner filed the present writ petition seeking a writ of Certiorari to call for the records connected with orders made O.A. No.7289 of 1996, dated 20-3-1998 and Rev. M.A. No. 3085 of 1999 in the said O.A., 20.3.2006 and to quash the same as illegal, improper, unjust, arbitrary and contrary to law and further direct the respondents to consider the case of the petitioner for the post of Sub-Inspector of Police in B.C.-A category by following the rule of reservation and to pass such other order or orders.

The brief facts of the case are that the petitioner was qualified in the physical as well as written examination and subsequently, he was called for the interview for the post of Sub-Inspector of Police (Civil) in pursuance of the notification issued by the Police Recruitment Board on 7.7.1993. Petitioner, came to know that he is placed at Sl. No. 13 in B.C.-A Category. According to the petitioner, out of the total number of 79 vacancies, 69 vacancies have to be filled up by direct recruits leaving 13 percent of vacancies for in-service candidates and as per the roster, 4 posts have to be reserved for B.C.-A category. While so, when the respondents did not follow the rule of reservation, the petitioner earlier filed O.A. No. 7289 of 1996 before the Tribunal. The Tribunal, through orders dated 20.3.1998 dismissed the said O.A. Thereafter, the petitioner appeared to have filed a review application before the Tribunal. The Tribunal, through orders dated 17.2.2005 dismissed the said review application. Aggrieved, the petitioner filed Writ Petition No. 21421 of 2005

before this court. This Court through order dated 5.10.2005 allowed the said writ petition and remanded the matter to the Tribunal for fresh consideration. Thereafter, the tribunal, having reconsidered the matter, through the impugned orders, dismissed the said review application. Aggrieved, the petitioner filed the present writ petition.

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Services-I and perused the order of the Tribunal.

Admittedly, in the instant case, though the respondents have issued notification for 79 posts, the respondents sought to fill up only 70% of the vacancies, i.e. 55 vacancies, including the vacancies for in-service candidates. Further, out of the said vacancies, three posts were reserved B.C.-A category and in view of the fact that the roster point for direct recruitment started at 57th point, the roster points in respect of B.C-A category were mentioned as 70,79 and 4. In the circumstances, the petitioner, who was standing at the next serial number could not come up within the zone of consideration and therefore, his case was not considered for appointment. The Tribunal, taking all these aspects into consideration, has rightly dismissed the review application.

We, therefore, do not find any illegality or irregularity in the order of the Tribunal warranting interference. The writ petition fails and it is accordingly dismissed. No costs.

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(T. MEENA KUMARI,J)

Date: 12th October, 2007

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(G. CHANDRAIAH,J)

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